

DECLARATION OF TIMELY MAILING

The undersigned declares as follows:

1. My name is Francis G. Montgomery, and I am admitted to practice before the United States Patent and Trademark Office (Reg. No.41,202) and the Bar of the State of New Jersey.

2. I make this Declaration upon my own personal knowledge.

3. I am employed as a Patent Attorney by Siemens Corporation.

4. In the normal course of events, patent-related papers prepared in my office for filing with the United States Patent and Trademark Office include a Certificate of Mailing, are placed in envelopes addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, and are taken to the mailroom by our office personnel or picked up by appropriate mailroom personnel, depending upon the time of day. At the mailroom each envelope is weighed and sufficient postage for first class mail is applied to the envelopes, which are then deposited with the U.S. Postal Service by Siemens mailroom personnel, together with the rest of the Siemens outgoing mail.

5. To make sure that papers go out as scheduled, there is an office practice in effect. This practice is that the person responsible for filing a paper with the United States Patent and Trademark Office is responsible for checking papers to be deposited with the U.S. Postal Service on the day indicated in the Certificate of Mailing, and only signs the Certificate of Mailing on a paper if he or she expects that the paper will be mailed on that date. I uniformly follow this practice.

6. In the present patent application, the Examiner informed me on or around August 24, 2006, by telephone that no response to the August 18, 2005, Office Action was received by the

United States Patent and Trademark Office. In fact, an Amendment and Replacement Sheet were submitted on November 18, 2005. A copy of the Amendment having a Certificate of Mailing thereon which I signed on November 18, 2005, the Replacement Sheet that was attached to the Amendment, and the postcard submitted therewith is attached hereto as Exhibit 1. A copy of the returned stamped postcard is attached as Exhibit 2. Thus, I had a reasonable basis to expect that the Amendment was received by the United States Patent and Trademark Office.

Under these circumstances, I believe that the above-referenced Amendment and Replacement Sheet should be considered timely filed.

No fee is believed due with this communication. However, if a fee is required in connection with this communication, please charge any fees that may be required to Deposit Account No. 19-2179.

I hereby declare that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

September 19, 2006
(Date)

Francis G. Montgomery
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Reg. No. 41,202

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TO THE U.S. PATENT & TRADEMARK OFFICE
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EXPRESS MAIL LABEL NO.:

Title of Document: Amendment (8 pages), 1 sheet replacement drawing

Serial No.: 09/965,457

Paper Dated: 18.Nov.2005

Atty Dkt No.: 2001P16707 US

Attorney: Francis G. Montgomery / VR

Attorney _____

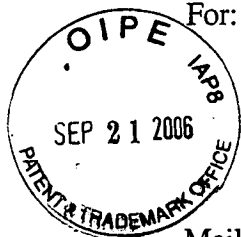
EXHIBIT 1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Peggy Stumer
Serial No.: 10/965,457
Filed: September 27, 2001
For: Transparent Interchangeable Network
(TIN)

Atty Dkt No.: 2001P16707US
Examiner: Dmitry LEVITAN
Art Unit: 2662
Date: November 18, 2005



AMENDMENT

Mail Stop AMENDMENT
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P.O. Box 1450
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I hereby certify that this Correspondence is being deposited with the United States Postal service with sufficient postage for first class mail in an envelope address to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:
Date of Deposit: 11/18/2005

Typed Name: Francis G. Montgomery

Signature: Francis Montgomery

Sir:

Responsive to an Office action dated August 18, 2005, please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this Amendment.

Amendments to the Drawings begin on page 6 of this Amendment.

Remarks/Arguments begin on page 7 of this Amendment.

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (currently amended) A method for managing packet communications over a network of distributed systems, each said distributed system being connected to a public communications network through at least one common contact point, communications from said public communications network being directable to users on each of said distributed systems through a selected said common contact point, each said common contact point being assigned a private direct inward dial (DID) number, said method comprising the steps of:

- a) receiving a communications packet at first distributed system, said communications packet being directed to a user of a connected second distributed system;
- b) checking network traffic to determine if said communications packet may be received over said network by said user at a selected quality level; and
- c) routing communications through the public communications network to said connected second distributed system in response to a determination that packets cannot be passed over said network at said selected quality level, said routing communications comprising the steps of:

- i) retrieving from a subscriber/line table a distributed system index corresponding to said second distributed system,

- ii) identifying said DID number for said second system in response to said distributed system index,

- iii) assigning an alternate route to said packet, and

- iv) providing said packet and packet related information to said common contact point at said DID number for said second distributed system;

wherein said network comprises a voice over internet protocol (VOIP) private network, routed said communications is a call to said user, and said call is routed from said first distributed system to said selected contact point of said second distributed system.

2 – 5 (canceled)

6. (currently amended) A method as in claim 2, [[4]] further comprising the steps of:

- d) querying each incoming call to connected distributed systems to identify whether said incoming call is an IP alternate routed call;
- e) matching any identified alternate routed call with internal call information; and
- f) passing said incoming packet as an in-network call to said user.

7. (currently amended) A method as in claim 6, [[6]] wherein identifying whether an incoming packet is an IP alternate routed call comprises performing a digit analysis on a called number associated with the incoming packet, whenever said digit analysis indicates that incoming call originates from a private DID number, said incoming packet is identified as an alternate routed call.

8. ((currently amended) A method as in claim 6, [[6]] wherein the step e) of matching the identified alternate routed call comprises identifying a calling number from an alternate route call correlator table.

9. (currently amended) A method as in claim 6, [[6]] wherein the step f) of passing said incoming packet to said user as an in-network call comprises:

- providing an internal ring;
- displaying a calling party number corresponding to an original user placing said call; and
- displaying a user name of a calling party.

10. ((currently amended) A method as in claim 9, [[9]] wherein said in-network call is internal to said network originating from a user at said first distributed system to said user at said second distributed system.

11. (currently amended) A method as in claim 9, [[9]] wherein said in-network call is an incoming call from a caller on said public communications network to said user at said second distributed system.

12. (currently amended) A method as in claim 2, [[4]] wherein each said DID number is on an ISDN trunk.

13. (currently amended) A private communications network providing communications between a plurality of network users and to a public communications network, private communications network users connecting to said public communications network over said private communications network, said private communications network comprising:

a plurality of distributed systems connected together and in communication with each other, users at each of said connected distributed systems selectively in communication with each other;

an identified common contact point at each distributed system, said common contact point being assigned a dedicated direct inward dial (DID) number at a public services telephone network (PSTN) trunk, each distributed system connected to the PSTN ~~public communications network~~ through said common contact point, each said distributed system communicating with other ones of said plurality of distributed systems through said common contact point over said PSTN ~~public communications network~~; and

a call manager in at least one of said plurality of distributed systems, said call manager including an alternate routing DID number table, an alternate route correlator table, a subscriber/line table and a digit analysis/dial plan table, and managing communications between users at different connected said distributed systems, said call manager selectively diverting calls between users at different ones of said plurality of distributed systems over said PSTN ~~public communications network~~.

14. (canceled)

15. (currently amended) A private communications network as in claim 13, [[14]] wherein said PSTN trunk is an ISDN trunk.

16. (currently amended) A private communications network as in claim 15, wherein each of said plurality of distributed systems including a gateway, and said gateway is a time division multiplexed (TDM) packet based conversion gateway.

17. (canceled)

18. (currently amended) A private communication network as in claim 13, ~~[[17]]~~ wherein the alternate routing DID table assigns a single index to all users at each DID number for each distributed system.

19. (currently amended) A private communication network as in claim 13, ~~[[17]]~~ wherein the subscriber/line table includes an extension field indicating each corresponding user's extension, a public number field indicating whether said each corresponding user has a public number and a DS index field corresponding to an index in said alternate routing DID table.

20. (currently amended) A private communication network as in claim 13, ~~[[17]]~~ wherein the alternate route correlator table is a dynamically changing table wherein said call manager adds table entries to said alternate route correlator table in response to creation of a new alternate routed call to a user, each added entry including a correlator number field, a called number field and calling number field.

21. (currently amended) A private communication network as in claim 13 ~~[[14]]~~, wherein said private communications network is a voice over internet protocol (VoIP) private network and said dedicated DID number is a single dedicated DID number at each distributed system.

AMENDMENTS TO THE DRAWINGS:

The attached drawing sheet includes changes to Figure 2, including one (1) replacement sheet with Figure 2, replacing the original sheet including Figure 2. In particular as required by the Examiner, the lead line from "144" in Figure 2 is extended to indicate the dashed line to the left of "150" in accord with original Figures 1, 3 and 5.

REMARKS

Claims 1, 2, 6 – 13, 15, 16 and 18 – 21 remain in the application and are amended herein. Claims 1 – 4, 12 – 16 and 21 are rejected. Claims 5 – 11 and 17 – 20 are objected to for depending from a rejected base claim. Claims 3 – 5, 14 and 17 are canceled herein. No new matter has been added. Although this Amendment is being timely filed, the Commissioner is hereby authorized to charge any fees that may be required for this paper or credit any overpayment to Deposit Account No. 19-2179.

Claim 1 is amended to include the recitations of claims 2, 3, 4 and objected to claim 5, also to address the objections to claims 4 and 5. Claim 13 is amended to include the recitations of claim 14 and objected to claim 17, and also to address the objections to claims 14 and 17, and also to clarify that the public communication network is a PSTN.

Additionally, all remaining dependent claims are amended to depend from amended claims 1 and 13, obviating the need for any discussion of the rejection of Claims 1 – 4, 12 – 16 and 21 under 35 U.S.C. §§102(e) or 103(a) over U.S. Patent No. 6,785,229 to McNiff et al. alone, or further in combination with admitted prior art or any other reference of record. Further amendments to claims 6 – 12, 15, 16 and 18 – 21 are, in part, for punctuation. No new matter has been added, and all remaining claims are believed allowable. Accordingly, the applicant respectfully requests reconsideration of the objection to claims 6 – 11 and 18 – 20 and the rejection of claims 1, 12, 13, 15, 16 and 21.

The drawings are objected to because in Figure 2, 144 and 150 identify the same thing. Responsive thereto, a replacement Figure 2 is included herewith, extending the lead line from “144” to indicate the dashed line to the left of “150” in accord with original Figures 1, 3 and 5. No new matter has been added.

Claims 4 – 12 and 14 – 21 are objected to because of informalities in claims 4 and 14. However, claims 4 and 14 are canceled herein, and the objections have been addressed in

independent claims 1 and 13. Reconsideration and withdrawal of the objection to the claims because of informalities in claims 4 and 14 is respectfully requested.

The applicant has considered the other references cited but not relied upon and finds them to be no more relevant than the references relied upon for the rejection.

The applicant thanks the Examiner for efforts, both past and present, in examining the application. Believing the application to be in condition for allowance, both for the amendment to the claims and for the reasons set forth above, the applicant respectfully requests that the Examiner reconsider and withdraw the objection to claims 6 – 12 and 18 – 21, reconsider and withdraw the rejection of claims 1, 12, 13, 15, 16 and 21 under 35 U.S.C. §§102(e) or 103(a) and allow the application to issue.

Should the Examiner believe anything further may be required, the Examiner is requested to contact the undersigned attorney at the telephone number listed below for a telephonic or personal interview to discuss any other changes.

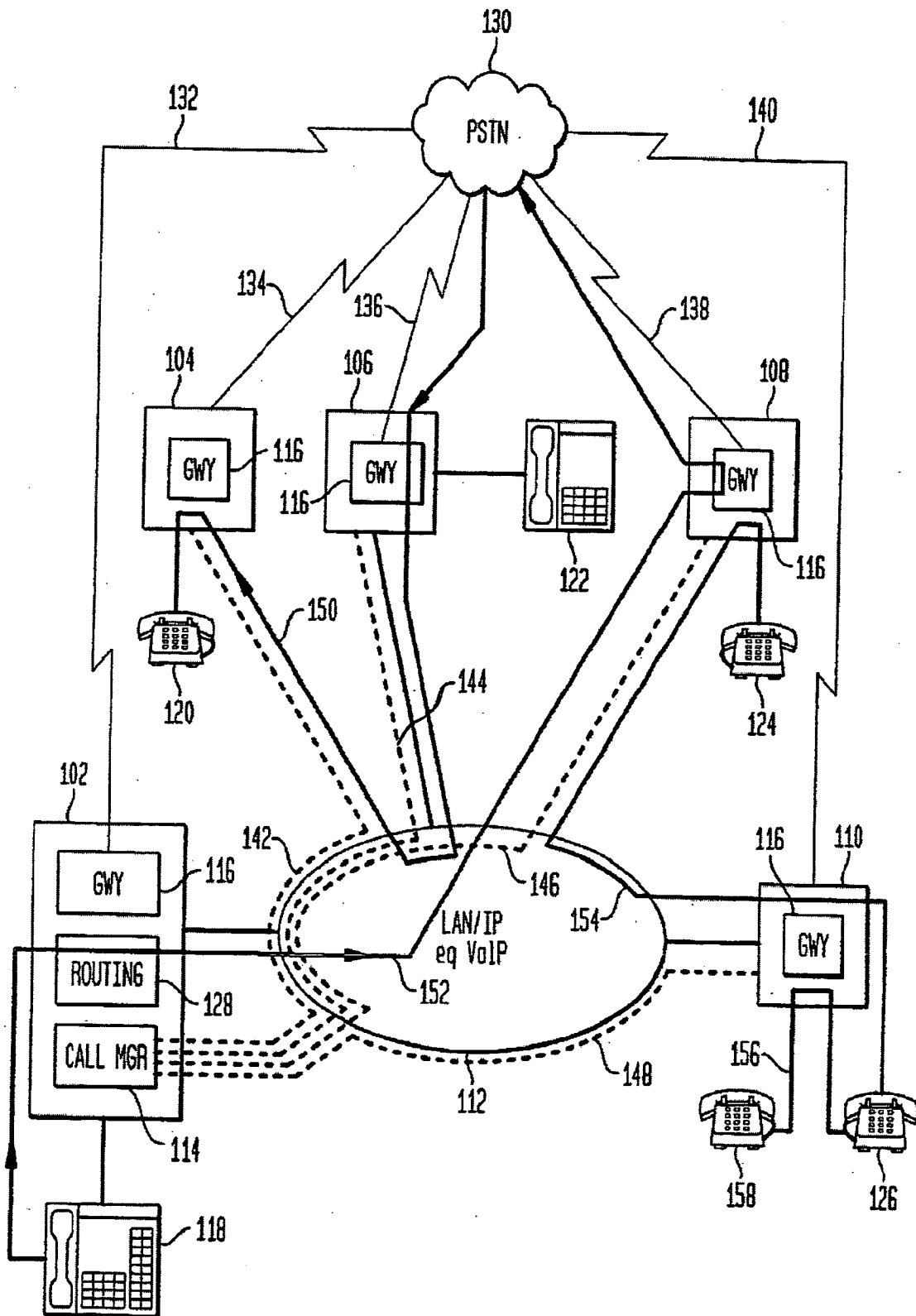
Respectfully submitted,

November 18, 2005
(Date)

Francis Montgomery
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FIG. 2





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Attorney: Francis G. Montgomery / VR



EXHIBIT 2